IFW 1614



***Certification under 37 CFR 1.8(a)***

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with The United States Postal Service with sufficient postage as first class mail in an envelope addressed to THE COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on May 11, 2006.

Brian W. Hameder (Reg. No. 45,613) _____
Name Signature

DOCKET: CU-4618

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Stefan G. PIERZYNOWSKI et al.

Serial No.: 10/562,953 Group Art Unit:

Filed: December 30, 2005 Examiner: Sharon Latimer

For: USE OF ALPHA-KETOGLUTARIC ACID FOR THE TREATMENT OF MALNUTRITION OR HIGH PLASMA GLUCOSE CONDITION

THE COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of the first Office Action on the merits, whichever event occurs last. 37 CFR 1.97(b).

Date: May 11, 2006

_____
Signature of Attorney
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Reg. No. 45613

***Certification under 37 CFR 1.8(a)***

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**INFORMATION DISCLOSURE STATEMENT**

Applicants submit herewith patents, publications or other information of which the applicants are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose under 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

The references submitted herein are listed on PTO-1449 form (modified) enclosed herewith. A copy of each reference listed is being furnished except any duplicate or cumulative patents or publications specified otherwise. Also, if the present application was filed after June 30, 2003, copies of US patents or published applications are not submitted in accordance with the USPTO Rule changes.

A translation of any foreign language reference, if any, is indicated in PTO-1449 form and being submitted herein if it is readily available. Otherwise it should be construed that such translation is not readily available.

Additional comments, if any, on the relevance of each reference listed are provided as follows:

**Also submitted herein is a copy of the PCT Search Report which satisfies the requirement for a translation or concise explanation of any non-English reference cited therein, as provided in MPEP §609 A(3).**

The Statement is made on the basis of the information:

_____ supplied by the inventor(s);
__X__ supplied by an individual associated with the filing and prosecution of this application (37 CFR 1.56(c)); or
_____ in the attorney's file.

Respectfully submitted,

Date: May 11, 2006

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Form **PTO-1449** (Modified)

| FORM PTO-1449 | ATTY. DOCKET NO. | SERIAL NO. |
|---|---|---|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (37 CFR 1.98(b)) | CU-4618 | 10/562,953 |
| | APPLICANT: Stefan G. PIERZYNOWSKI et al | |
| | FILING DATE: December 30, 2005 | GROUP |



**U.S. PATENT DOCUMENTS**

| EXAMINER INITIAL | PATENT DOCUMENT | ISSUE/PUB DATE | PATENTEE | CLASS | SUB-CLASS | FILING DATE |
|---|---|---|---|---|---|---|
| | 5,124,314 | 06/23/92 | Cooper | | | |
| | 5,175,145 | 12/29/92 | Cooper | | | |
| | 5,234,906 | 08/10/93 | Young et al. | | | |

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

| EXAMINER INITIAL | DOCUMENT NUMBER | PUBL. DATE | COUNTRY OR PATENT OFFICE | CLASS | SUB-CLASS | TRANSLATION YES | NO |
|---|---|---|---|---|---|---|---|
| | WO9310146 | 05/27/93 | PCT | | | | |
| | EP 0922459 | 06/16/99 | EPO | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Place of publication)

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(Form PTO-1449)